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February 23, 2023

Via ECF

Honorable Cathy L. Waldor, U.S.M.J.
U.S. District Court-District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, Room 4040
Newark, NJ 07102

**Re: Update on Joint Dispute Letters Regarding JJHCS's RFPs
Johnson & Johnson Health Care Systems, Inc. v. Save On SP, LLC
Civil Action No. 22-2632 (JMV-CLW)**

Dear Judge Waldor:

We submit this letter on behalf of Johnson & Johnson Health Care Systems, Inc. ("JJHCS"), in advance of the February 28, 2023 status conference to advise the Court of which disputes set forth in our two letters of January 5, 2023 have been resolved.

On January 5, 2023, the parties submitted a Global Joint Dispute Letter (Dkt. 65) and a Specific Joint Dispute Letter (Dkt. 66) (the "Joint Letters") that sought discovery rulings from the Court concerning JJHCS's RFPs. In accordance with the Court's January 6, 2023 Order, the parties conferred further multiple times to try and narrow those disputes. While we have not resolved most of the disputes, we identify the following disputes that no longer require judicial intervention:

- The disputes in Section II.C of the Global Joint Dispute Letter (Dkt. 65 at 18-19) have been resolved as to RFP Nos. 31 and 35 only. The disputes in Section II.C as to RFP Nos. 5, 7, 8, 16, 17, 18, 19, 20, 21, 22, 44, and 45 still require judicial intervention.

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- The dispute in the Specific Joint Dispute Letter, Section B, “Request Nos. 41 and 42,” (Dkt. 66 at 3-6) has been resolved as to RFP No. 41 only. The dispute in Section B as to RFP No. 42 still requires judicial intervention.

The remainder of the discovery disputes described in the parties’ Joint Letters (Dkt. 65; Dkt., 66) are still pending and require judicial intervention.

JJHCS understands that further substantive briefing on these issues is both inappropriate and precluded by the Court’s Individual Rules. *See* Waldor Civ. Case Mgmt. Order ¶ 7 (“No further letter submissions regarding the dispute may be submitted without leave of Court.”).

Respectfully submitted,

/s/ Jeffrey J. Greenbaum

JEFFREY J. GREENBAUM

cc: All Counsel (*via ECF*)